

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL CASE NO. 2:09cr11

UNITED STATES OF AMERICA,)
)
)
 vs.)
)
)
 KIPLING JOE JONES.)
 _____)

ORDER

THIS MATTER is before the Court on the Remand of the United States Fourth Circuit Court of Appeals for re-sentencing. United States v. Jones, __ F.3d __, 2012 WL 104912 (4th Cir. 2012).

In the proceedings before this Court, the Defendant was represented by retained counsel. On appeal, the Fourth Circuit granted retained counsel's motion for leave to withdraw and appointed appellate counsel. [Doc. 93]. Since the Fourth Circuit has determined that the Defendant qualifies for court-appointed counsel, the Court will direct the Federal Defender to provide counsel to the Defendant for re-sentencing.

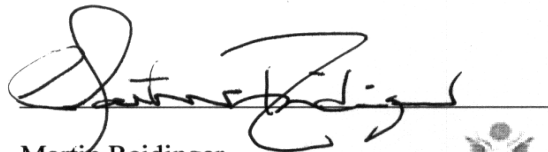
IT IS, THEREFORE, ORDERED as follows:

1. The United States Marshal shall have the Defendant present in Bryson City, North Carolina for the March 2012 sentencing term;

2. The Clerk of Court shall calendar this matter for that term;
3. The Federal Defender shall provide counsel to the Defendant for re-sentencing; and
4. The United States Probation Office shall provide a supplemental pre-sentence report.

The Clerk is directed to provide notification and/or copies of this Order to the United States Attorney, Counsel for the Defendant, the United States Marshal Service, and the United States Probation Office for the Western District of North Carolina.

Signed: February 7, 2012


Martin Reidinger
United States District Judge

